



#30

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OCT 31 2003
GROUP 3600

DECLARATION OF DEAN ALDERUCCI

1. I, Dean Alderucci accessed the Radio Shack™ web site indicated by the following URL:
<http://www.radioshack.com/partners/verizon/verizonlanding.asp>
on October 22, 2003. This is the same URL indicated on item u on form PTO-892 of the Office Action mailed April 22, 2003.
2. All of the below-described Web pages I printed out and attached hereto. They are consecutively numbered from 1 - 25, as seen in handwriting in the bottom right corner of each page.
3. Pages 1 - 4 represent the first Web page seen when accessing the above-described URL. Unlike the Radio Shack Web site document submitted by the Examiner, the first Web page includes no indication of different prices for the same phone.
4. I accessed a second web page by clicking on the "LG VX 6000 Digital Camera Phone" advertisement on the first Web page. Pages 5 - 7 represent the second Web page. Nowhere on this second page is there any way to purchase the phone, though one can purchase accessories such as a "Body Glove Phone Case". In fact, a price for the phone is not even given. The viewer is directed to "See Store for Price", indicating that one must purchase the phone through the store.
5. I accessed a third web page by clicking on the "Phones and Radio Communications" link on the first Web page, and then clicking on the ensuing link named "Cellular and PCS Phones by carrier". Pages 8 - 9 represent the third Web page.
6. I accessed fourth, fifth and sixth web pages by clicking on the "Altel, Cingular, US Cellular" link on the third Web page. Pages 10 - 11 represent the fourth Web page. Pages 12 - 13 represent the fifth Web page. Pages 14 - 15 represent the sixth Web page. All of the phones advertised on these pages include the notation to "See Store for Price".
7. I accessed seventh and eighth web pages by clicking on the "PCS Wireless from Sprint" link on the third Web page. Pages 16 - 17 represent the seventh Web page. Pages 18 - 19 represent the eighth Web page. All of the phones advertised on these pages include the notation to "See Store for Price".
8. I accessed ninth and tenth web pages by clicking on the "Verizon Wireless" link on the third Web page. Pages 20 - 21 represent the ninth Web page. Pages 22 - 23 represent the tenth Web page. All of the phones advertised on these pages include the notation to "See Store for Price".

9. I accessed an eleventh web pages by clicking on the "Samsung® SCH-A530" link on the ninth Web page. Pages 24 - 25 represent the eleventh Web page. Nowhere on this eleventh page is there any way to purchase the phone, though one can purchase accessories such as a "leather Case" and "JABRA® Ear Set". In fact, a price for the phone is not even given. The viewer is directed to "See Store for Price", indicating that one must purchase the phone through the store.

10. After searching for some time, I was not able to find any way to purchase a cellular telephone online from this Web site, much less a cellular telephone with a service plan. Each telephone had no accompanying "Add to Cart" button anywhere, nor any other means to purchase the telephone online.

11. However, I was able to add several other types of products to my cart, such as a "Leather Case for Samsung® SCH-a530" and a "Body Glove® Phone Case Swivel Clip". Each of these products which were not telephones had an accompanying "Add to Cart" button.



Dean Alderucci
Registration No. 40,484

Oct 22, 2003
October 22, 2003

Subscribed and Sworn to before me, a Notary Public, in and for County of Tolland and State of Connecticut, this 22 day of October, 2003

Notary Public
My Commission Expires Aug. 31, 2007



Type Keyword or product number:

HOME HELP

Product Catalog

Monthly Flyer | What's New | What's On Sale | Coupons | Product Manuals | Commercial Customers

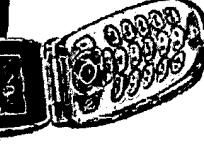
Audio

- Batteries & Power
- Computers & Networking
- Digital Cameras & Imaging
- Parts, Tools & Wire
- Communications
- Phones & Radio
- School & Office
- Security & Home Automation
- Toys & Gaming
- TV, Satellite & Video
- Unique Gadgets & Gifts

View by Category

verizon wireless At RadioShack

GET THE LG® VX6000 DIGITAL CAMERA PHONE
FOR JUST \$149.99!*



Reg. price \$199.99-\$50 RadioShack mail-in rebate¹=\$149.99*
(With 2-year agreement. \$399.99 without.)

View All >>

Get Pix



Send pictures to
other phones and
any e-mail address!

Send and store
pictures online!

Get Attached!

Wide selection
of wireless
accessories.

See All >>

Sign up and save.

By 12/31/02

:: Special Features

BatteryFinder

Cellular & PCS
Accessories Finder

Gift Cards

Gift Finder

LifeWise™

Rebate Center

Repair

XMODS™

ZipZaps™

:: Featured Partners



5 Reasons Why

RadioShack is America's
#1 Wireless Consumer
Electronics Retailer

Find Out >>

Save \$75.99 When You Purchase This Phone, Plus All 3 Accessories.



Regular separate accessories \$79.97. You get all 3 for \$55.98! Get the phone plus accessories for \$205.97.

Introducing a Push to Talk phone that works where you do, and it's from Verizon Wireless.² Motorola® V60p, a Push to Talk phone from the provider of America's best, most reliable Wireless Network. National Service-reach and be reached in more places across the country. No dialing, no phone tag. Talk.

Now there's a Push to Talk phone that works where you do, and it's from Verizon Wireless.² Motorola® V60p, a Push to Talk phone from the provider of America's best, most reliable Wireless Network. National Service-reach and be reached in more places across the country. No dialing, no phone tag. Talk.

DISH NETWORK™
HP/COMPAQ
LINKSYS®
RCA®
RCA®-DIRECTV®
SPRINT PCS
VERIZON WIRELESS®

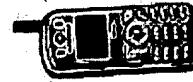


one-to-one or with many people at once. #17-1920

Genuine Leather Case #17-835 \$29.99
Car Power Adapter #273-1293 \$29.99
JABRA® EarSet® #17-853 \$19.99

Unlimited Night & Weekend Minutes and 400 Anytime Minutes³

From Verizon Wireless when you sign up for a Push to Talk calling plan by 11/02/03. Plus, get 1000 anytime mobile to mobile minutes to call any of our 32.5 million customers on our national mobile to mobile network. FREE group Push to Talk calling. Talk one-to-one or with many people at once. Groups will be limited to 10 people for the first 90 days. After 90 days, groups will be limited to 20 people. See store for details.



NEW! Motorola® C333 for FREE!*

With 2-year agreement. \$200.00 without. See store for details!

Write extra-long text messages[†]—up to 1000 characters!
Personalize with wallpaper, screensavers, ringtones, type styles and more.[†] Enhanced messaging service capable.

Genuine Leather Case #17-832 \$29.99
Car Power Adapter #273-1290 \$29.99
JABRA® EarSet® #17-853 \$19.99

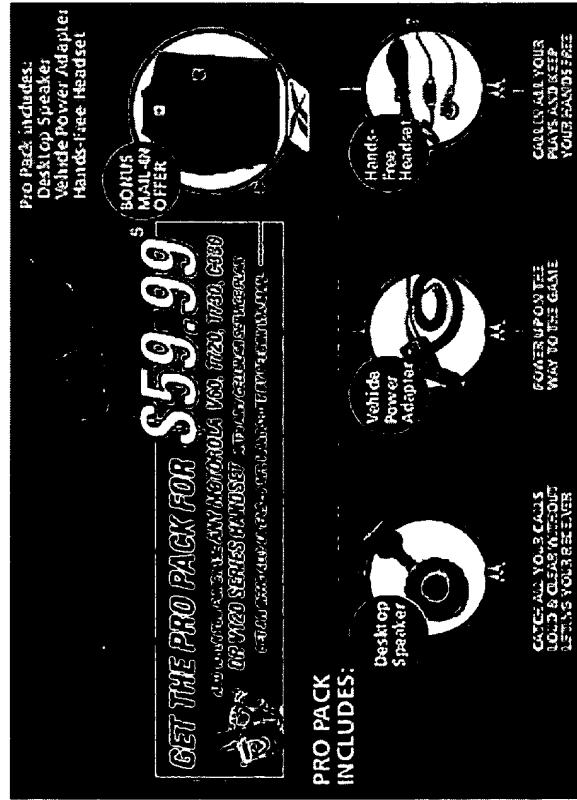


Available exclusively at

RadioShack

10/22/2003

(2)



Offer valid in store only.

America's ChoiceSM Family SharePlanSM**Unlimited Picture and Text Messaging for \$4.99 Monthly Access⁴**

Plus, get Unlimited Night & Weekend Minutes and 400 Anytime Minutes³ with 1 or 2-year Customer Agreement for just \$39.99 monthly access from Verizon Wireless when calling anyone on the America's ChoiceSM network. 1000 anytime mobile to mobile minutes to call any of our 32.5 million customers on our national mobile to mobile network.



³Advertised prices require 2-year Customer Agreement with Verizon Wireless and credit approval. Monthly access, long-distance fees, taxes and other charges for airtime will be made. Carrier will impose a \$175 fee for early termination. If you terminate service within 120 days of activation, to avoid a \$200 charge from RadioShack, you must return the phone. California residents: Sales tax is added to the unactivated price of the phone per the State Board of Equalization.

⁴1 \$50 RadioShack mail-in rebate good through 10/23/03 with purchase and activation of a new LG VX6000 phone. See store for details.

2. Join by December 31, 2003 and get free unlimited group-calling for as long as you remain on your plan. And also enjoy unlimited one-to-one Push to Talk calling all with our Push to Talk-capable phone and any America's Choice with Push to Talk calling plan starting at \$59.99 monthly access with 1 or 2-year Customer Agreement. Subject to Customer Agreement, Calling Plan, credit approval and terms and conditions of Push to Talk. Cannot combine with other offers. Usage rounded to next full minute. Unused minutes lost. Coverage service and offers not available in all areas. Only available in National Enhanced Services area and with other Verizon

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Wireless Push to Talk subscribers. Best Network claim based on results of our reliability studies: network advantages.

See www.verizonwireless.com/bestnetwork for details.

³ Minute offer good through 11/2/03 with credit approval. Subject to Customer Agreement and Calling Plan. Cannot be combined with any other offers. Usage rounded up to the next full minute. Unused allowances lost. Subject to taxes and other charges. Geographic and other restrictions apply. Night and Weekend minutes may vary by market. Select CDMA equipment required. National mobile to mobile calls are limited to calls on the Verizon Wireless network and may not be available throughout the entire America's Choice network.

⁴ Digital service and select CDMA digital phone required. After 1/2/04, monthly allowance is 100 TXT messages and 20 picture messages for \$4.99 monthly access. Excess TXT messages and alerts will be billed at 10¢/message sent and 2¢/message received. Excess picture messaging billed at 25¢/picture message sent and received. Charges are per address. Airtime charges apply when sending and receiving picture messages. See product brochure for details. Limited-time offer.

⁵ Offer valid through 10/23/03 or while supplies last. Purchase of new Motorola handset and bundle on the same ticket required. See sales associate for details. MOTOROLA and the Stylized M Logo are registered in the US Patent & Trademark Office. All other product or service names are the property of their respective owners. ©Motorola, Inc. 2003. NFL and NFL Shield design are registered trademarks of the National Football League.

[†]Network or subscription-dependent feature.

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Product Catalog [Monthly Flyer](#) [What's New](#) [What's On Sale](#)

[View Catalog](#) [Catalog Home](#)

Audio

Type Keyword or product number:

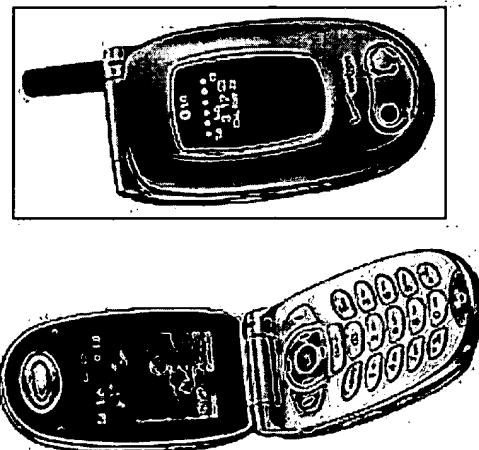
[Search](#) [Cart](#) [Help](#) [FAQ](#) [Store Locator](#) [Zip code](#) [Go](#)

[Advanced](#)

[View](#)[Batteries & Power](#)[Computers & Networking](#)[Digital Cameras & Imaging](#)[Parts, Tools & Wire](#)[Phones & Radio](#)[Communications](#)[School & Office](#)[Security & Home](#)[Automation](#)[Toys & Gaming](#)[TV, Satellite & Video](#)[Unique Gadgets & Gifts](#)[View by Category](#)

**Sign up
and save.**

Get 10% off
every purchase

[:: Special Features](#)[BatteryFinder](#)[Cellular & PCS
Accessories Finder](#)[Gift Cards](#)[Gift Finder](#)[LifeWise™](#)[Rebate Center](#)[Repair](#)[XMODS™](#)[ZipZaps™](#)[:: Featured Partners](#)**NEW LG® VX6000 for Verizon Wireless**[See Store For Price](#)

Brand: LG®

Model: VX6000

Catalog #: 17-1918
(Pricing and Availability may vary outside
the contiguous 48 United States.)**Where to Buy**

On-line

1-800-THE-SHACK

In Stores

Find it at your local store: [Go](#)

Yes

No

No

Yes

[Get a \\$50 Mail-in Rebate](#)

Sleek, silver phone has a built-in digital camera!

[view larger image](#)**PRODUCT FEATURES**

- Flip-style phone, available in silver
- Built-in camera, complete with zoom control and three resolution adjustments
- Integrated CMOS digital camera features: CMOS 330K pixels; built-in mirror for self-portraiture; upload, store and share pictures*; resolution adjustment (low, medium, high); white balance adjustment (auto, sunny, cloudy, fluorescent, tungsten, darkness); color effects adjustment (normal, antique, black & white, negative); self-timer (5 seconds, 10 seconds); 5 fun frames; brightness adjustment; file quality (economy, normal, high); shutter sound (shutter, chime, no sound); multishot adjustment
- External LCD for quick access to Caller ID* (OEI)
- Multimedia Messaging Service (MMS)* to upload, store and share pictures
- Blue backlit keypad
- Get It Now capable
- Download pictures, ringtones and games*
- Openwave UP 4.1 browser

17-850
\$12.9917-817
\$19.9917-935
\$19.99

6

LG® VX6000 for Verizon Wireless

DISH NETWORK™		1" Universal Gripmatic Wireless Phone Holder	17-531	\$21.49	<ul style="list-style-type: none"> • Caller ID* ringtones: 31 plus vibrate and silent alert • CMX MIDI for sounds and ringtones • Customizable Caller ID*, wallpaper choices, power-on/power-off images • Personal organizer: calendar with scheduler, alarm clock, note pad, voice memo, calculator, EZ tip calculator, world clock • Phonebook: 499 contacts (each stores 5 numbers and 3 e-mail addresses) • Speed-dialing (99 entries) • Voice-activated dialing (30 entries) • Two-way Short Messaging Service* (SMS) • Five-way navigation key • Internal USB capable • Integrated headset jack • TTY/TDD support • T9 text input • English and Spanish user interface • Desktop charger with AC adapter • Holster
RCA®-DIRECTV®		JABRA® EarSet® WindUp™ Universal Headset for Wireless Phones	17-974	\$39.99	<ul style="list-style-type: none"> • 1" Universal Gripmatic Wireless Phone Holder • JABRA® EarSet® WindUp™ Universal Headset for Wireless Phones
SPRINT PCS					

VERIZON WIRELESS®

DISH NETWORK™
HP/COMPAQ
LINKSYS®
RCA®
RCA®-DIRECTV®
SPRINT PCS

*Network or subscription-dependent feature.
**Certain features may use more power and cause actual standby and talk times to vary.

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Wednesday, October 22, 2003 1:26:38 PM

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<http://www.radioshack.com/product.asp?catalog%5Fname=CTLG&category%5Fname=&product%5Fid=17%2D1918>

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Digital Music
University

more

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SPRINT PCS
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<http://www.radioshack.com/category.asp?catalog%5Fname=CTLG&category%5Fname=CTLG%5F008%5F002%5F002%5F000&Page...> 10/22/2003

The image shows the top portion of the RadioShack website. It features a large, bold 'RadioShack' logo with a registered trademark symbol. Below the logo is a horizontal navigation bar with the following items: 'HOME' (with a house icon), 'CART' (with a shopping cart icon), 'HELP' (with a question mark icon), and 'Store Locator' (with a magnifying glass icon). To the right of the navigation bar is a 'Zip code' input field with a 'GO' button. Below the navigation bar is a search bar with a 'Search' button. The main search area has a placeholder text 'Type keyword or product number'.

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DISH NETWORK™	Cat # 17-1336	More Info
HP/COMPAQ	Cat # 17-1931	More Info
LINKSYS®	Cat # 17-1939	More Info

[Page 1 of 3](#) [1](#) [2](#) [3](#) [Next ►](#)

RCA®
RCA®-DIRECTV®
SPRINT PCS
VERIZON WIRELESS®

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Advanced

Product Catalog Monthly Flyer

Catalog Home ▶ Phones & Radio Communications ▶ Cellular & PCS Phones ▶ Phones By Carrier ▶ Alltel, Cingular, US Cellular

Batteries & Power

Computers & Networking

Digital Cameras & Imaging

Parts, Tools & Wire

Communications

School & Office

Security & Home

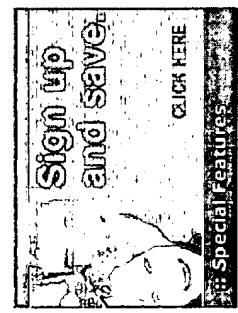
Automation

Toys & Gaming

TV, Satellite & Video

Unique Gadgets & Gifts

View by Category



BatteryFinder

Cellular & PCS

Accessories Finder

Gift Cards

Gift Finder

LifeWise™

Rebate Center

Repair

XMODS™

ZipZaps™

Special Offers

Total: 22 Item(s) — Displaying Items 11 - 20

Page 2 of 3 - 1 2 3 <| Previous Next |>

► Find the right accessory quickly. Try our Cellular/PCS Accessories Finder

What's New	What's On Sale	Coupons	Product Manuals	Commercial Customers
See Store for Price				
Cat # 17-1911 (More Info)	Cat # 17-1544 (More Info)	Cat # 17-1888 (More Info)	Cat # 17-1908 (More Info)	
See Store for Price				
Cat # 17-1551 (More Info)	Cat # 17-1911 (More Info)	Cat # 17-1888 (More Info)	Cat # 17-1908 (More Info)	
See Store for Price				
Cat # 17-1551 (More Info)	Cat # 17-1911 (More Info)	Cat # 17-1888 (More Info)	Cat # 17-1908 (More Info)	
See Store for Price				

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DISH NETWORK™	Cat # 17-1562	More Info
HP/COMPAQ	Cat # 17-1525	More Info
LINKSYS®	Cat # 17-1528	More Info
RCA®	Cat # 17-1681	More Info

[Page 2 of 3](#) [Previous](#) [Next](#) [»](#)

RCA®-DIRECTV®
SPRINT PCS
VERIZON WIRELESS®

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Type Keyword or product number	<input type="text"/>
Search	<input type="button" value="GO"/>
Store Locator	<input type="button" value="GO"/>
Zip code	<input type="text"/>
Advanced Search	

Product Catalog	Monthly Flyer	What's New	What's On Sale	Coupons	Product Newsletters	Commercial Customers
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[Audio](#) [Batteries & Power](#) [Computers & Networking](#) [Digital Cameras & Imaging](#) [Parts, Tools & Wire](#) [Phones & Radio](#) [Communications](#) [School & Office](#) [Security & Home Automation](#) [Toys & Gaming](#) [TV, Satellite & Video](#) [Unique Gadgets & Gifts](#)

Page 3 of 3 -1 2 3 <|Previous

▷ **Find the right accessory quickly. Try our Cellular/PCS Accessories Finder**

Total:22 Item(s) -- Displaying Items 21 - 22



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- [Gift Cards](#)
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NEW [Nokia 5180i for Prepaid Cellphone Service](#)

[See Store for Price](#)

Cat # 17-1807
[MoreInfo](#)



NEW [Nokia 5125 for Prepaid Cellphone Service](#)

[See Store for Price](#)

Cat # 17-1501
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A row of seven logos: DISH NETWORK™, HP/COMPAQ, LINKSYS®, RCA®, RCA®-DIRECTV®, SPRINT PCS, and VERIZON WIRELESS®.



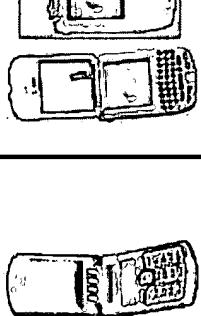
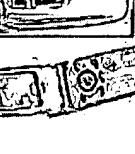
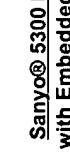
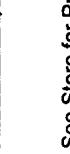
Product Catalog	Monthly Flyer	What's New	What's On Sale	Coupons	Product Details	Commercial Customers
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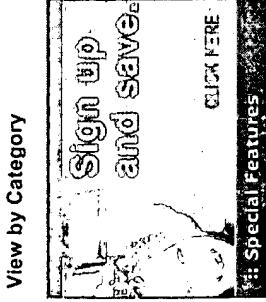
Audio Catalog Home ▶ Phones & Radio Communications ▶ Cellular & PCS Phones ▶ Phones By Carrier ▶ PCS Wireless from Sprint

Page 1 of 2 - 12 Next ▶

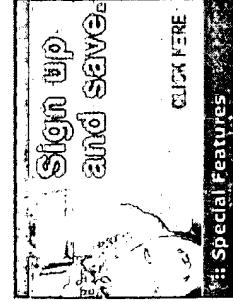
► Find the right accessory quickly. Try our Cellular/PCS Accessories Finder

Total: 11 item(s) -- Displaying items 1 - 10

 <p>NEW PCS Vision (SM) Phone SPH-i500 by Samsung®</p> <p>See Store for Price</p> <p>Cat # 17-2518 More Info</p>	 <p>Handsprint™ Treo® 300 PCS Vision(SM)-Enabled P...</p> <p>See Store for Price</p> <p>Cat # 17-2547 More Info</p>	 <p>NEW PCS Vision (SM) Picture Phone for Sprint PCS...</p> <p>See Store for Price</p> <p>Cat # 17-2571 More Info</p>	 <p>Sanyo® SCP-8100 for Sprint PCS in White</p> <p>See Store for Price</p> <p>Cat # 17-2572 More Info</p>	 <p>Novatel Aircard for Sprint</p> <p>See Store for Price</p> <p>Cat # 17-2573 More Info</p>	 <p>NEW Color Screen PCS Phone 3585i by Nokia®</p> <p>See Store for Price</p> <p>Cat # 17-2574 More Info</p>
 <p>Sanyo® 5300 Phone with Embedded Camera for Sprint</p> <p>See Store for Price</p>	 <p>Sanyo® SCP-8100 for Sprint PCS in Blue</p> <p>See Store for Price</p>	 <p>ZipZaps™</p> <p>See Store for Price</p>			



View by Category



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DISH NETWORK™
HP/COMPAQ
LINKSYS®
RCA®
RCA®-DIRECTV®
SPRINT PCS
VERIZON WIRELESS®

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DISH NETWORK™	Cat # 17-1920	More Info
HP/COMPAQ	Cat # 17-1943	More Info
LINKSYS®	Cat # 17-1865	More Info
RCA®	Cat # 17-1831	More Info

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DISH NETWORK™
HP/COMPAQ
LINKSYS®
RCA®
RCA®-DIRECTV®
SPRINT PCS
VERIZON WIRELESS®

Cat # 17-1913
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Type keyword or product number:

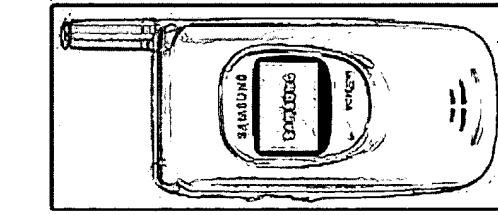
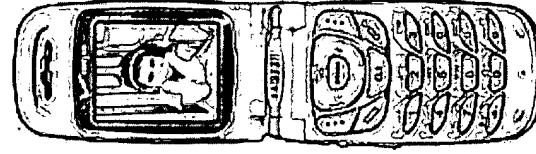
HOME HELP ?

Search

Product Catalog	Monthly Newsletter	What's New	What's On Sale	Coupons	Product Manuals	Commercial Customers
-----------------	--------------------	------------	----------------	---------	-----------------	----------------------

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[View by Category](#)



Samsung® SCH-A530 for Verizon Wireless

[See Store For Price](#)

[Brand: Samsung](#)

[Model: SCH-A530](#)

(Pricing and Availability may vary outside the contiguous 48 United States.)

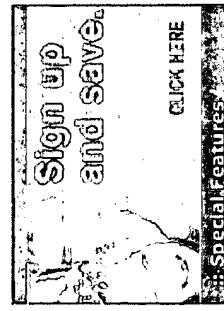
Where to Buy

On-line	Find it at your local store:
1-800-THE-SHACK	<input type="text"/> Go
In Stores	<input type="text"/> Go

For a limited time only—an extended lithium-ion battery is included. A \$70 value!

It weighs only three ounces, but sports a large, animated color display inside and out. Get It Now(SM) gives you access to the Web, games and more!

[View larger Image](#)



[BatteryFinder](#)

[Cellular & PCS Accessories Finder](#)

[Gift Cards](#)

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[LifeWise™](#)

[Rebate Center](#)

[Repair](#)

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[ZipZaps™](#)

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PRODUCT FEATURES

- All-digital/1X/GPS capable
- Get It Now(SM) capable
- 2.5mm headset jack to accept universal hands-free headsets
- Main display supports up to 8 lines of text
- 128x160 pixel, 65,000 color, STN main display
- 96x64 pixel, 256 color, external display
- Directional navigation key
- Personal organizer
- Voice-activated dialing/voice memo
- Internet® browser
- E911® capable
- Two-way TXT messaging*
- T9 text messaging software



Leather Case for Samsung® SCH-A530

17-828

\$29.99



JABRA® EarSet™ for Hands Free

Wireless Communication

17-853

\$19.99



Holster for Samsung® SCP-a530

17-231

\$12.99

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DISH NETWORK™		FoneFree™ Wireless Hands-Free Transmitter 17-935	\$19.99	<ul style="list-style-type: none"> • Built-in contact directory stores up to 999 memory locations and each name can have up to 5 associated numbers • 15 ringtones plus vibrate alert and download more via Get It Now (SM) • Express Network-compatible with Mobile Office kit (sold separately) • iOTA capable • Mobile IP support: UP 4.1.261 • SRAM size: 32MB • Flash size: 128MB • PC connector type: USB Serial • Network Generation: 3G • Brew software: 1.1 • Meets FCC SAR limit. Manufacturer's highest FCC reported SAR: 1.47 at ear, 1.39 on body. Actual SAR may vary. • Mode type: dual-band • Battery: standard lithium-ion (900mAH) • Dimensions: 3.2x1.7x0.9" (8.1x4.3x2.3cm) (HWD) • Standby time: up to 140 hours • Usage time: up to 160 minutes • Warranty: one year • Weight: 3.0 oz. (85g) • Included accessories: standard lithium-ion battery; extended lithium-ion battery; swivel holster; travel adapter; battery charger and handstrap
HP/COMPAQ				
LINKSYS®				
RCA®				
RCA®-DIRECTV®				
SPRINT PCS				
VERIZON WIRELESS®				

*Network or subscription-dependent feature. Not available in all areas.

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